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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of

Amendment of Part 95 of the
Commission's Rules to Establish
a Very Short Distance Two-Way
Voice Radio Service

WT Docket No. 95-102
RM-8499

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**COMMENTS OF THE CONSUMER ELECTRONICS GROUP
OF THE ELECTRONIC INDUSTRIES ASSOCIATION**

The Consumer Electronics Group of the Electronic Industries Association ("EIA/CEG") hereby submits the following comments in response to the Notice of Proposed Rulemaking ("*Notice*") which the Commission issued in the above-captioned proceeding on August 2, 1995.¹ In its *Notice*, the Commission has solicited comment on whether it should authorize the use of 14 UHF channels for short-range, two-way voice communications pursuant to Part 95 of its rules and, if so, pursuant to what technical rules. The Family Radio Service ("FRS") proposed by the *Notice* would allow families and other small groups to communicate among themselves using palm-sized, unlicensed radio units while hiking, visiting malls, and the like.² As set forth below, EIA/CEG enthusiastically supports the proposed radio service, as well as flexible service rules that would maximize consumer choice, as long as appropriate safeguards are adopted to minimize interference with broadcast television operations.

¹ See *Amendment of Part 95 of the Commission's Rules to Establish a Very Short Distance Two-way Voice Radio Service*, Notice of Proposed Rulemaking, WT Docket No. 95-102, RM-8499, FCC 95-261 (released Aug. 2, 1995) [hereinafter "*Notice*"].

² See *id.* at ¶ 3.

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I. INTEREST OF EIA/CEG

EIA/CEG is the principal trade association of the consumer electronics industry. EIA/CEG members design, manufacture, import, distribute and sell a wide variety of consumer electronics equipment, including television receivers and various types of unlicensed communications devices such as cordless telephones and intercom systems. To date, television receivers and unlicensed communications equipment have successfully coexisted in the residential environment. Indeed, cordless telephones and intercoms are becoming increasingly common because of the convenience which inexpensive wireless technologies bring to the home. FRS promises to bring the same consumer benefits of wireless technologies to an even broader operating environment. Consumer welfare will not be enhanced, however, unless adequate rules are adopted to protect television receivers from unwanted interference. As an association of companies that manufacture both cordless telephones and television receivers, EIA/CEG has an interest in the successful deployment and operation of FRS.

II. THE COMMISSION SHOULD AUTHORIZE FRS IN A WAY THAT MAXIMIZES CONSUMER CHOICE AND CONVENIENCE, YET PROTECTS ADJACENT-CHANNEL TELEVISION OPERATIONS FROM INTERFERENCE.

In the *Notice*, the Commission has enumerated the many societally beneficial uses for which FRS is particularly well-suited. Among other things, FRS could "facilitate activities around the home, at group outings, and at group activities where members become separated, either planned or inadvertently. It would also be useful to hunters, campers, hikers, bicyclists, and other outdoor activity enthusiasts."³ As the Radio Shack Division of Tandy Corporation,

³ *Id.* at ¶ 7.

whose rulemaking petition prompted this proceeding, has made clear, there is significant demand for this type of consumer product.⁴

EIA/CEG wholeheartedly agrees. As the Commission has recently recognized in a number of other proceedings, today's wireless consumer products bring tremendous benefits to the American public. Unlicensed radio devices "have the potential to benefit virtually every person and business in the nation,"⁵ and to make an "important contribution" to the overall public welfare.⁶ The Commission's statements are confirmed by marketplace experience. EIA's Market Research Department estimates that 55 percent of all U.S. households now have one or more cordless telephones, a figure that will continue to increase year after year. FRS will tap into this growing desire and demand for the convenience of wireless technologies.

EIA/CEG concurs in the Commission's tentative conclusion that the utility of this new service -- and, more important, consumer choice -- can best be maximized by adopting flexible rules governing FRS. More specifically, the Commission's rules should make selective calling optional, as the *Notice* proposes, and should permit interconnection with the public switched telephone network ("PSTN").⁷ Selective calling will be particularly important because it will offer consumers the important ability to protect the privacy of their communications.

⁴ See *id.* at ¶ 2.

⁵ *Allocation of Spectrum Below 5 GHz Transferred From Federal Government Use*, First Report and Order and Second Notice of Proposed Rule Making, ET Docket No. 94-32, FCC 95-47, at ¶ 32 (released Feb. 17, 1995)

⁶ *Amendment of Part 90 of the Commission's Rules to Adopt Regulations for Automatic Vehicle Monitoring Systems*, Report and Order, PR Docket No. 93-61, FCC 95-41, at ¶ 34 (released Feb. 6, 1995).

⁷ See *Notice* at ¶¶ 12-13.

Such privacy, however, will necessarily increase the cost of FRS devices. Rather than impose these costs on consumers by regulatory fiat and potentially limit the market for FRS, the Commission should allow the marketplace to gauge consumer demand and permit the production and use of both less expensive, non-selective units and more expensive, selective units.

To address the higher end of the consumer market, the Commission should also allow consumers to opt for the added value of FRS units which can interconnect with the PSTN. As currently envisioned, FRS will enable consumers to communicate at a distance of a few city blocks, thereby bringing the corner store, bus stop, community pool, or a neighbor's home within range.⁸ Interconnection to the PSTN will allow consumers to extend their FRS calling capabilities well beyond these nearby locations.

These public benefits, however, would be totally offset if FRS were to interfere with UHF television operations. The proposed 14 FRS channels are in the 462/467 MHz range, immediately adjacent to UHF channel 14. EIA/CEG assumes that the Commission is well beyond the point where it is necessary to identify the many reasons why existing broadcast spectrum should be protected from interference. Suffice it to say that the importance of out-of-band emission limits for FRS cannot be overstated. The Commission should therefore evaluate the proposed FRS emission constraints to ensure, and the proponents of FRS should demonstrate, that the increased usage of the spectrum in question will not adversely impact television reception. The Commission should also prescribe FRS labelling requirements explaining interference to consumers.

⁸ See *id.* at ¶ 7.

III. CONCLUSION

For all of the reasons set forth above, EIA/CEG urges the Commission to authorize the introduction of FRS in a way that maximizes consumer choice and protects adjacent UHF television spectrum from interference.

Respectfully submitted,

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October 2, 1995